

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Amie Brown,)	C/A No. 4:21-cv-729-SAL-KDW
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Florence One Schools and Compass Group)	
USA, Inc. d/b/a Chartwells,)	
)	
Defendants.)	
_____)	

This matter is before the court for review of the August 16, 2021 Report and Recommendation of United States Magistrate Judge Kaymani D. West (the “Report”), made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g) (D.S.C.). [ECF No. 29.] In the Report, the Magistrate Judge recommends granting in part and denying in part the Motion to Dismiss or for a More Definite Statement, ECF No. 11, filed by Defendant Florence One Schools (“Florence One”) and Defendant Compass Group USA, Inc. d/b/a Chartwells (“Chartwells”) (together “Defendants”). Specifically, the Magistrate Judge recommends dismissing Plaintiff Amie Brown’s (“Plaintiff”) Second and Third Causes of Action against Chartwells, denying dismissal of the Title I, ADA claim against Chartwells, and allowing all claims against Florence One to proceed. A Notice of Right to File Objections was attached to the Report. [ECF No. 29-1.] No party filed objections to the Report, and the time for response has lapsed.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to,

and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 29, and incorporates the Report by reference herein. Accordingly, Defendants’ Motion to Dismiss or for a More Definite Statement, ECF No. 11, is **GRANTED in part** and **DENIED in part** as set forth in the Report.

IT IS SO ORDERED.

September 3, 2021
Florence, South Carolina

/s/ Sherri A. Lydon
United States District Judge